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CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE	12/1/2012 - 1/14/2014	DAY OF WEEK Sat - Tue	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S)						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, Mount Laguna, CA 91950						

AGENCY: NCPD

CASE NO.: 1207248

INTERVIEW OF:

RYAN STINNETT

INTERVIEWED BY:

DETECTIVE ANTONIO YBARRA
DETECTIVE WADE WALTERS

TRANSCRIBED BY: Beatrice Gonzalez

1207248: INTERVIEW OF RYAN STINNETT

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ORIGINAL - 01/24/2014

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The following is a transcription of Officer Ryan Stinnett. This interview is being conducted at the National City Police Department. Present in the interview are Detective Antonio Ybarra, Detective Wade Walters and Officer Ryan Stinnett.

Detective Ybarra will be referred to as "AY" and Detective Walters will be referred to as "WW and Officer Stinnett will be referred to as "RS".

AY: All right, we're at the ah, National City Police Department. Today is Monday, December the 10th. Its fifteen minutes after one in the afternoon. We're in the conference room at the Investigations Division and we're here just to ah, go over some ah details and some questions that we have from an incident that occurred on December 1st of this year at 530 West 21st Street, actually that's where it originated umm on reference NCPD Case number 1-2-0-7-2-4-8. Present in the room with me is ah Detective Wade Walters. I am Detective Antonio Ybarra and ah we're gonna be questioning witness Officer ah Ryan Stinnett. What is your ah, I-D number?

RS: 4-5-2.

AY: 4-5-2. All right Ryan umm you've had a chance to review your report, right?

RS: Yes.

AY: Umm and we simply wanted to know, actually if you can just walk us through the chain of events that led all the way up to well refer to ah the person in question is Mr. Martinez. Mr. Martinez being ah strapped on the gurney. So how did the call start? Just, just walk us through it.

RS: Real Readers Digest version, ah radio call came out of ah possible [REDACTED] in progress at the Deli, that, that 24th Street Trolley Station.

AY: Sure.

RS: There was ah report the guy had either shot somebody or there was a knife involved so start going on route to the call. Ah Sergeant Young advised over the air that he was already on scene. Said he was able to see the suspect or I guess, I'm sorry, just before that we were advised that everyone had left to that suspect was alone, Martinez was alone inside the business.

AY: Mmm hmm.

RS: Sergeant Young got there. He said he saw the guy, had him at gunpoint, didn't see, he didn't mention if he saw any weapons or anything from Martinez. We started rolling up just in case the guy tried to get out I guess ah Sergeant Young said he was like barricaded inside the, inside the deli. So we roll up. I pull up into the, the east alley over there off of Wilson. The two thousand block of Wilson I believe or right on that part, just, just north of ah the deli. So, when I'm in there, I started to get out of the car and I hear that he had ran out up the back of the business, the back of the deli. I was, I heard over the radio someone saying that the guy had started running north, hopped into the trolley tracks and was going north so I get back in my car, start driving out and I get in behind ah Corporal Klos. I

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didn't know who it was at first but I get behind Corporal Klos unintell we make that westbound turn on to ah West 18th and then make that first turn onto the on-ramp to go on I-5, the northbound I-5. As we're pulling up on there, there's ah, ah green car and a white pick-up truck parked on the right shoulder of the on-ramp. As I'm pulling right there, I immediately see a guy matching Martinez's description, had a white t-shirt running down the embankment from the top of the, where the trolley tracks were.

AY: Sure.

RS: Ran down the embankment to the little wooded area, dives into the bed of the truck. Corporal Klos was in front so he parked his car fairly close to the bed of that, the, the truck, I had pulled in right behind it. We both get out of the car. I had my gun out on him cause he's supposedly with a gun or a knife so we go to approach the back of the truck, Corporal Klos had a weapon out. We go up to the truck, the guys in the, Martinez is in the bed of the truck. We give him the command, told him to stay still, put his hands up and his hands, he was kind of you know, even if I was lying flat down, his hands kept, kept them up above him like this, he was laying there, somewhat still. I decided since Corporal Klos had his weapon out that I pick the holster up and go on and handcuff him. I, I climbed over the, the tailgate, put my knee on ah Martinez' back so he wouldn't move, grabbed his right arm, put his right arm in the handcuffs and I tried to get his left arm and he refused to give it to me basically. He started pulling against it and resisting and he starts reaching down towards his waistband. Corporal Klos is giving him the instructions to "hey put your hands behind your back, get your other hand" refused. Corporal Klos struck him, like a jabbing motion with his baton since I was in the bed of the truck and Corporal Klos was still outside of the truck. So he's jabbing the guy's shoulder. Martinez still wouldn't put the hand behind his back, he was just kind of pulling it up against his body. He's still not compliant there so I decided to, to punch him, just to try and get same thing, just to get him to stop and resisting and put his hand behind his back or give him the commands. I hit him in the head cause I'm on his back so I don't really have a body to target. I'm holding his cuffs with his right hand in my left hand while I switched over so I didn't have a whole lot of target so I hit him, not positive exactly. It was, it was the back of the head that hurt. I don't know if his head was laying to the left or the right when I hit him but I hit him once, he didn't respond at all. He didn't react to it. I told him again put your hands behind your back, he wouldn't give us his other hand. Hit him again still nothing. He, he didn't comply. He just continued resisting. Sergeant Meeks arrived right around that, I don't know if he was there while I was wrestling with him but he have him a dry stun in his back and we were able to get left hand back behind his back and we cuffed him up. He, I did a really quick pat down inside the, the bed of the truck and rolled him side to side to see if we could find any guns or knives on him.

AY: Sure.

RS: I didn't notice anything on the cursory pad and...

AY: And then what happened?

RS: Then I get out of the truck cause it's an awkward spot to be in there. Climbed out of the back of the truck, lower the tailgate. Corporal Klos was and, and just telling him "hey calm down, we're going to pull you out of the truck now." I, I we pulled him, we slid him, his feet were already towards the tailgate, his feet were aiming towards the back of the truck so we just slid him out towards the back of the truck to stand him up. When we first had him out, he wasn't supporting his own weight, he was just kind of standing, and we're like, c'mon stand up. He stands himself back up. We walk over, Corporal Klos on his left arm and me on his right arm, walked him to Corporal Klos'

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hood of his car which was sitting right next to the truck. Corporal Klos started a pat down search more thoroughly of the, the left side of Martinez's body. Once he's doing that, after he got done with his left side, I did the right side. As were doing that, Corporal Klos started taking his left shoe off. Martinez got really upset at that, he started resisting more, started getting really upset and angry with the foot so I was thinking maybe he had something in his shoe that he didn't want us finding. So after Corporal Klos had that shoe off without finding anything, I started taking off his right shoe, got that off and he the same thing, just started getting really resistant to us. He was pulling away from us, trying to kick at us a little bit. Corporal Klos and I lowered him to the ground, he didn't fall. We, we put him on the ground. Corporal Klos took the, took his head as he was going down and I was standing there above them. As he's ah going down to the ground, he starts to kick at me with his legs again when Corporal Klos was holding him down so I kicked at his right leg just try him again, get him to stop kicking me unintell giving the command stop resisting, stop kicking. I kicked his leg and then I lowered oh I, I, I took the cartridge out from my Taser since it had worked before. Set that on the hood of Corporal Klos' car, had my [REDACTED] out, got down on his, I guess his calves his, his lower calves with, with the area just below my knee on my chin just to put weight on it to try and hold him down. I, I, I did the dry stun off his lower back. Unintell calm down, stop resisting and, he just continued to resist on us so at that point I just put all my weight on my hands, holding on to his legs. Corporal Klos was at the head of his body. Sergeant Meeks was somewhere on the head of the body, I couldn't see where I was focusing on his legs. We were there wrestling him for a while I know ah Detective Shephard arrived on scene and was helping with the, the legs, was asking if we had any kind of [REDACTED] I [REDACTED] ... [REDACTED] get that. Corporal Klos, I mean Corporal Shephard took ah Martinez's legs where I was, relieving me of my spot. I went and grabbed [REDACTED] came back, I've never tied up someone's legs so I, I gave it to ah Corporal Shephard for him to do. I took back over on his legs, tried tying him up there and the whole time he's still resisting, lifting up his torso with his hands, even with his hands behind his back, he's lifting up his torso causing hassle for Corporal Klos and Sergeant Meeks. Got him tied up, he's able to slip his legs kind of back out of the cord, black cord I guess didn't work so well. So he got, he got his legs back out of the, eventually we were just holding him down, medics arrived and I'm not sure how early they had been there but once, once medics were there and had their gurney out, we picked, we ah, myself and not positive which officers grabbed him. We picked him up, put him on the gurney, he's still kicking, still resisting. I'm still holding onto his legs and I still while on the gurney put my right knee, knee on top of his legs just to help hold his legs down while the, the fire and medics and I'm not sure who was doing what, were trying to strap him down to the gurney.

AY: Face down or face up?

RS: Face up. So then yeah, they were dealing with the top I was just watching his legs, holding them down and then he's, they, he stopped, he stopped kicking after a point and then I looked over and that's when I found out that he had been sedated.

AY: Okay, good. Okay umm, ah, I have a couple of questions and I'm sure ah Detective Walters gonna have here with you in a second but let's go back so ah, just to clear a little few things up. So when, when you guys go unintell When you guys arrived to the on-ramp Ryan, and you guys were walking up to the ah, the bed of the pickup truck, what side of the, of this pickup truck were you? Was he approached from the left or the approach from the right?

RS: The approach was from the left. I was, I was on the left more or less, I was straight behind the truck. I mean I was a little bit to the left. You have to say left or right but I was fairly straight behind the truck on the left hand side.

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Corporal Klos was up more in front of it coming from this position, his car, he was, he was also on the left hand side but more towards the middle of the, the truck as we approached.

AY: So, so now let's move forward to when you're in the bed of the truck. You're in the bed of the truck, where's Corporal Klos standing at? To your left...

RS: Ah no on, on my left cause still on the, still on that left side of the truck ah on the driver's side of the truck just against, in front of the wheel well so towards the, the cab part of the bed of the truck if that makes sense.

WW: Kind of, kind of rounded it, if you well.

RS: Was that the...

WW: When he came out he kind of, he's facing it.

RS: So, I don't know how to say, this is the bed of the truck and the cabs right here. I'm on him here. He, he's more or less right here towards, towards the cab.

AY: Okay

RS: At the front of the bed of the truck cause Martinez was all the way towards the front of the bed of the truck.

WW: Okay.

AY: Well what, what did you notice about umm Martinez at that time when you first walked in?

RS: Inside, well even when I was, when before I got in the truck, he had a cut, he had, he had some redness to his, I think it was his right side, I'm not positive honestly what side, I thought it was his right side except he had ah, ah small cut.

AY: Mmm hmm.

RS: And he was kind of, a little twitchy with ha... with his hands and fingers.

WW: And that's prior to you guys even touching him he had...

RS: Yes.

WW: He had that injury?

RS: Yes.

AY: Any other injuries you saw on him?

RS: Not that I saw his fist unintell

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AY: Any blood?

RS: There was blood around that, that cut.

AY: Umm while you guys are trying to ah handcuff or why you're trying to handcuff and your efforts at handcuff Martinez, is he saying anything to you?

RS: He was, he was talking but I honestly don't know what he said when I was in the truck. I know he was resisting and pulling his hands toward us but while, while he was in the truck, I don't know what he was saying.

AY: So he was talking, he wasn't yelling, he was talking?

RS: Yes.

AY: What about the ah, the witnesses you described that were standing by? What were they doing?

RS: The owners of the, the, the truck and that, at first, the truck was empty. There was nobody erratic, notice anybody in the truck and the cab or in the bed in this case. The, the green vehicle which was just behind the truck, there was a woman and, and two small children. They were in the green sedan I believe when we got there and they, at one point, they started exiting. Her and the kids were exiting, kind of watching what we were doing.

AY: Are they saying anything?

RS: I didn't notice them saying anything, no.

AY: Ah, so you ah, so you stuck him with, it was with a fist?

RS: Yes.

AY: To his head a couple of times?

RS: Yes.

AY: Ah, you bring him out and when you walk him from the, from the bed of the truck over to Corporal Klos' vehicle, what kind of distance do you guess or estimate that was?

RS: It was, it was very close. Three, four feet.

AY: And he did and, and Martinez did this without you having to support him or lift him?

RS: Correct.

AY: He did this on his own?

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RS: Mmm hmm.

AY: He acknowledged when you guys told him hey, calm down, relax from the arrest, we're gonna move over here or was he just...?

RS: He was still resisting. He, like say when we first pulled him out, he wasn't, he just kind of let his legs where we, he, he wasn't putting weight on himself. When we told him, c'mon stand up, he, he, he listened to us to the point that he would stand up on his own way. We each had ah, an arm. I was holding his right arm, the Corporal Klos had his left so he, he allowed himself to stand up and he did his own where we didn't support his weight but he was still kind of resisting.

AY: So you guys take him over to the ah, the patrol car...

RS: Mmm hmm.

AY: The front part of the patrol car as you described, right? Is he bent at the waist or how, how, how do you guys unintell against that right unintell

RS: He's, he's facing, he's facing the patrol car. He's up towards it a little bit of a bend of the waist. I mean he wasn't on, on the hood of the car. He was standing upright while we pat him down but I mean I guess a little bit of a unintell forward from his torso to keep him off balance a little bit more.

AY: Sure, sure. Ah and what is he saying to you at that time? Is he saying anything to you guys?

RS: I don't remember him saying anything at that point, no.

AY: All right. So then, then you describe to us that Corporal Klos searched his side which was what? The right side?

RS: The left, he, Martinez's left side.

AY: Martinez's left and then, he starts getting a little frigidity when the shoe comes off. You do your side. When you remove your shoe, you don't get to remove the sock, just the shoe, correct?

RS: Correct.

AY: Then what did Martinez do again?

RS: He is just really...

AY: Is he unintell

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RS: Starting to pull with his upper body and a little bit trying to kick us and its close, close quarters so he doesn't have a whole lot of room for big movement, and its awkward back behind him since he's against the car.

AY: Mmm hmm.

RS: Can't really get much behind it but he's trying to kick at us unintell definitely trying to jerk away.

AY: And then in an effort to gain a little bit more control over Martinez, what did you guys do exactly after that?

RS: And I don't know who actually instigated it at that point, I'm not sure I believe, I don't know. I know we ended up, we're both holding him on to the, cause we were still hold him during the search. We never let go of him because of his kind of resistant attitude.

AY: Handcuffed right?

RS: Yeah so we were just still both holding on to him and just lowered him down to the ground, we took him down to the ground, face down onto the ground. He was sad, I don't remember if it was myself or Corporal Klos, I don't remember being said hey let's do this. It was just kind of...

AY: When we react...

RS: Done, yeah.

AY: Just unintell which makes a lot of sense, we're good. Umm did you guys literally guide him to the ground or did he, did he go unintell face first or did his own weight bring him down?

RS: No he was guided. We were holding him the whole time so he wasn't slammed, wasn't dropped and ah...

AY: So he, he's put face down on the ground?

RS: Yes.

AY: Then what is he doing?

RS: Immediately once he's down on the ground, let's see I was, Corporal Klos is more up towards his, his head and his upper body. I was down by his feet. He started kicking at me.

AY: At you? Ah, and again is he saying anything to you guys at this, at this point?

RS: I remember him saying you know, you don't know who I am. He started saying I'm, I'm, I'm Ghost which is his, his moniker. You, you know don't know who I am. Fuck you guys but and that was, I noticed all, the, the majority of his conversation and I didn't pay much attention to what he was saying but the only thing that I remember was those three things once he was down.

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AY: But next to the patrol car?

RS: Yeah on the ground, that's when he's saying that.

AY: Did he mention anything about having being harmed or having a weapon? Do you remember anything like that?

RS: I don't specifically remember him saying that. I know he kept reaching when we were trying to handcuff him, he was reaching for his waistband but...

AY: Was he always face down or did he yell, did he ever try standing up? Did he know unintell

RS: He was never able to stand up or get on his knees. He was kind of trying to roll a little bit, side to side but he was always face down as much as he could, I mean he would turn his hips a little bit as he's trying to roll but with our weight on him he was having trouble. He never got all the way on one side. He was never totally on his side. Just kind of, if that makes any sense. He just kind of rolling back and forth as much as he can.

AY: Do you remember what he was doing with his hands while he's doing all this?

Was there anything unintell anything specific you remember him doing with his hands as he's handcuffed and he's...

RS: He'd been reaching for his waistband before and he would still reaching, you know, as best he can trying to get towards his waistband but at that point on the ground I, I was, I was on his legs and I was having trouble seeing anything beyond that.

AY: So you had the lower extremities, Corporal Klos has the upper and then you said Sergeant Meeks...

RS: Sergeant Meeks was up, he was I, I believe...

AY: Unintell

RS: No, I don't, I don't know. I, I, I believe he was with Corporal Klos, I believe he was controlling the upper torso as well but I was, I was right at his ankles and his calves and I was just on that cause he was kicking so much that I had both hands and all my weight focused on that so I wouldn't take a foot to the face.

AY: Okay when we reviewed the ah, the CAD call, it, it showed that firefighters arrived before paramedics. And as best as you could remember, do you remember the firefighters already being unintell at the scene at this time? At that point?

RS: While we're on the ground with him there, yes.

AY: They were already there? You don't, you don't remember arriving?

RS: No.

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AY: Okay ah, and then what happens from there again Ryan so unintell

RS: So once he's down, we kind of have him controlled again and the medics got there. I said he had been, he had been spitting and I, I heard Sergeant Meeks say something about him vomiting.

AY: Okay.

RS: Possibly so we got a spit mask put on him and he was I guess trying to, I heard him also saying something about watch out so you don't get bit and I don't, I think that was, I think Corporal Klos said that to Sergeant Meeks but I, might have that backwards but I think Corporal Klos said that to Sergeant Meeks like tell him to watch out for his mouth cause he was trying to bite.

AY: Okay.

RS: So we got ah, the, none of us had a spit mask with us and unintell the, the medics brought over a little spit mask unintell so they put that on him. Once we got that on him and they had the gurney brought out, we picked him up and again I just, I was still like unintell picked him up, carried him over to the gurney, held him on the gurney. I don't know how many of us it was cause I was just still focusing on his legs so three of us for sure, maybe more carried him but I don't know.

AY: Good man, you're doing a great job here. And my last question umm, there towards the end when, when you, when you're describing to us who was there trying to control Martinez as he's on the ground, you put ah Sergeant Meeks there, Corporal Klos and ah Corporal Shephard and yourself. Was there anybody else who helped you guys there?

RS: There were people there but I have no idea if anyone else had hands on him when I was helping to hold him down or not. I couldn't see from my angle. I was just focused on him.

AY: Thank you unintell

WW: Is it fair to say you were wearing that uni... uniform similar to that?

RS: Yes.

WW: So no question that you guys are the police and anything like that?

RS: No.

WW: Same goes for Klos and, and Meeks?

RS: Yes.

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WW: Okay umm you've been a police officer for about five years. Have you ever seen me, have you ever gone to a call where someone has reacted like this before?

RS: Yes

WW: Similar just, under the influence just going crazy like this?

RS: Yes.

WW: Okay umm... I'm gonna, the big thing I want to just how he was taken to the ground so, you did a good job.

AY: Oh and ah medics, who called for medics? You remember who called for medics?

RS: I don't. I know that they were called. I, I don't know who, it wasn't myself.

AY: It sounds like you were busy. You were just unintell

RS: Unintell

AY: Yeah. Someone called for medics, sometime from the minute you guys, you're in the bed of the truck to when he's down on the ground, right?

RS: Yes.

AY: Somebody called for medics. Anything else you can think ah...

WW: Unintell

AY: Oh yeah, oh before we get to that, yeah a good point. Anything else that we didn't ask you that you want to tell us that you think we should know?

RS: No.

AY: No? All right. For that, that concludes this part now the second part. Ah since ah, every, everybody was unintell with the exception of Corporal Klos' patrol vehicle when we arrived on scene. Oh, one other thing. At which point did ah, those two witnesses leave? Do you remember?

RS: It was, I'm not exact positive. It was while we were down after the, we had already pulled him out of the truck and we were on the ground with him. I, I know they, like I said, at some point I seen the ah, the, the female and her, and, and two small children, I believe they were her kids out, outside of the front of her car, in between her car and the truck kind of, you know not a great spot for have a couple of little kids too so I, I know they were, Sergeant Meeks went over and was speaking to her.

AY: Mmm hmm.

REPORTING OFFICER Ybarra	ID# 381	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 01/14/2014 09:07
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 87 OF 91	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/1/2012 - 1/14/2014		DAY OF WEEK Sat - Tue	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S)						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, Mount Laguna, CA 91950						

RS: I don't know if he told her to leave, if he asked her to leave or anything that happened. I know he was, he had spoken with her. I heard him saying something about getting her name briefly. They left. I don't remember if, I don't remember if they left after he was on the gurney. I think they left before but I'm not positive.

AY: So it's fair to say that after the conversation they had with Sergeant Meeks, a short time later they left?

RS: Yes.

AY: Okay. Fine that's all for that. Now, we're gonna focus our attention to the ah, the white [REDACTED] directly behind you? We ah, went ahead and drew up this diagram, very rough diagram of West 18th with the onramp to ah Civic Center and Harbor Drive. Umm and the trolley tracks would be running down here at, towards the bottom?

RS: Yes.

AY: Going from your left to the right and ah, can you please ah first start with ah, let's go with the red pen ah where ah the [REDACTED] and that other sedan were parked.

RS: Unintell

AY: The, you can be approximate yeah.

RS: So I put the [REDACTED] here.

AY: Okay.

RS: And then the, the sedan was right behind it.

AY: So, okay good, on the right side there oh so where was ah Sergeant Klos, I mean Corporal Klos' patrol vehicle? Do it on the blue. Is there blue there?

RS: No.

AY: Here unintell hold this. Alright Ryan.

RS: So when he came in, he came in and his car was...

AY: Oh okay.

RS: Roughly in here. So that's when he came back more towards the front of that car. He came around his.

AY: Okay what about you, your, your patrol car?

REPORTING OFFICER Ybarra	ID# 381	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 01/14/2014 09:07
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 88 OF 91	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/1/2012 - 1/14/2014		DAY OF WEEK Sat - Tue	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S)						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, Mount Laguna, CA 91950						

RS: I came in so there ah, its right back here behind that, okay that's why I was at towards the, right there. I came out, I was more towards the back. I was still off to the left but more towards the back of the great great ah...

AY: With the, do you remember where ah the firefighters were parked? Give it to us in green please. The rig?

RS: I think the rig was just basically back here at that point but...

AY: Not too sure?

RS: A little approximate? No, not, not as sure, I mean positive about really positive right so really comfortable where we were but I'm not, I know they were back behind us, I think they were on the right side but I don't know all that and as much, I feel like they were back here.

AY: What about the ambulance using that same marker. If you unintell

RS: I think that that unintell ambulance either here or a little bit further back from rolling back to it in here.

AY: But it was up front, it was to the, towards...

RS: No it was, it was towards the back, yeah unintell

AY: Ah and ah, you understand that there was also a couple of other patrol units, maybe some unmarked cars. Can you use it in black and just show us where those were parked if you remember?

RS: I, I don't know.

AY: You don't?

RS: Just say for certain and ah, and ah there was other cars back in the back behind here so that someone blocked off the roadway but I, I don't know if any unintell

AY: That's very good actually.

WW: That, that makes it a lot easier.

AY: Makes it a lot easier. Cause none of that was there when we, when we got there.

WW: Klos' car, when we got there, Klos' car was the only thing there.

AY: Yeah.

RS: Yeah.

REPORTING OFFICER Ybarra	ID# 381	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 01/14/2014 09:07
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 89 OF 91	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/1/2012 - 1/14/2014		DAY OF WEEK Sat - Tue	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S)						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, Mount Laguna, CA 91950						

AY: Unintell was gone, the engines were gone.

WW: Trying to, trying to picture this.

RS: Picture what it looks like?

WW: Yeah and it makes sense why you guys approached the way you did and, and, and makes plenty of sense.

AY: That's a lot unintell

WW: No I'm good, Ryan you did a heck of a job. Everything you said was, was right on with your report and a good job unintell

AY: Okay, this concludes the ah, the interview and the time is one forty.

End of tape.

INVESTIGATION CONTINUED

On 12-10-12, Detective Walters and I attempted to meet with Sergeant Meeks and Corporal Klos to conduct on camera interviews. Under the direction of their legal advisor they declined to provide a recorded statement.

On 12-10-12, Detective Walters and I met with [REDACTED] Mr. [REDACTED] is the Program Director of the Paramedic Training Program at Southwestern College, located at 8100 Gigantic Street in San Diego. Director [REDACTED] has been a paramedic for over 30 years. He has been teaching other paramedics on life saving measures since 1991. The reason for our meeting was to ask him if the amount of [REDACTED] could have been considered a lethal amount.

Director [REDACTED] explained to us [REDACTED] was a [REDACTED]. In his 30 years of working the medical field, Director [REDACTED] has never known of a case where a patient expired due to [REDACTED]

Based on Director [REDACTED] training and experience, these are the steps a paramedic should take when a patient [REDACTED] and they lose a pulse.

- Apply medication [REDACTED]
- Recognize patient stops breathing
- Incubate him BBM bag
- Continue life saving measures

REPORTING OFFICER Ybarra	ID# 381	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 01/14/2014 09:07
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 90 OF 91	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/1/2012 - 1/14/2014		DAY OF WEEK Sat - Tue	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S)						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, Mount Laguna, CA 91950						

- Measure EKG
- If no pulse check leads to EKG
- Continue to resuscitate

In his professional opinion, Director [REDACTED] told me that the paramedics on scene did not do anything wrong or in violation of the San Diego County protocol.

On 12-20-12, Lieutenant Rounds handed me a copy of all of the radio traffic on NCPD channel-1 the day of the incident. The recording was recovered from the SDSO Sheriff's Communications Center.

On January 22, 2013, I obtained a copy of the toxicology report from Bio-Tox Laboratories. The report read that Martinez' blood had tested POSITIVE for the following:

Amphetamines

- [REDACTED]
- [REDACTED]
- [REDACTED]

Benzodiazepines

- [REDACTED]
- [REDACTED]

Please refer to the attached laboratory report for all of the details.

On 05/02/2013, I received an electronic copy of Martinez' autopsy report. Chief Deputy Medical Examiner, Dr. J. Lucas, certified Martinez' death as "complications of resuscitative cardiopulmonary arrest due to acute methamphetamine intoxication, and the manner of death as accident." Please refer to Dr. Lucas' complete autopsy report for detailed information.

On 05/14/2013, I returned the [REDACTED] to Corporal Klos. The two [REDACTED] were eventually return to our weapons safe to be designated as ready to issue.

On 09/04/2013, I met with Martinez' [REDACTED] at NCPD. I released Martinez' wallet and some of his personal belongings to her. They had been impounded under property barcode number I-0081498. I released the following items:

- (1) Black leather wallet
- (3) California identification cards # [REDACTED]
- (1) Visa for Manuel Martinez (last-4 on card of [REDACTED])
- (1) Visa US Bank for Manuel Martinez (last-4 on card of [REDACTED])
- (6) Discount club cards
- (1) Public library card
- (6) Color wallet sized photographs

I made color copies of all the items and later impounded the color copies as evidence at NCPD.

REPORTING OFFICER Ybarra	ID# 381	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 01/14/2014 09:07
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 91 OF 91	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/1/2012 - 1/14/2014		DAY OF WEEK Sat - Tue	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S)						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, Mount Laguna, CA 91950						

EVIDENCE

<u>Barcode Number</u>	<u>Description</u>
I-0085355	(1) R&I, Warrant #S12-244 for UCSD Medical Center
I-0085356	(1) R&I, Warrant #S12-245 for AMR
I-0085357	(1) R&I, Warrant #S12-246 for Paradise Valley Hospital
I-0085358	(6) Pages of AMR "patient care" report, Dated: 12/01/13
I-0086835	(7) copies of all the items impounded under barcode# I-0081498

SUPPLEMENTALS

Please refer to Officer Sakamoto's crime case report and supplemental reports from the following officers:

Lieutenant Rounds
 Sergeant Young
 Sergeant Cordero
 Detective Walters
 Detective Shephard
 Detective Villariasa
 Detective Wilkins
 Detective Nagle
 Detective Webb
 Officer Dougherty
 Sergeant Meeks
 Corporal Klos
 Officer Stinnett
 Investigator DiZinno
 Officer Estabrook
 CSS Kirkendall
 Officer Barawed

End of Report

REPORTING OFFICER Ybarra	ID# 381	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 01/14/2014 09:07
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ORIGINAL - 01/24/2014

NATIONAL CITY POLICE DEPARTMENT
APPLICATION FOR RELEASE OF INFORMATION

PLEASE PRINT CLEARLY

Note: Incomplete or illegible information may cause a delay in processing your request.

Case #: 1207248

First [REDACTED] Middle [REDACTED] Last [REDACTED] Area Code [REDACTED]
Address: [REDACTED] CITY: NATIONAL CITY CALIF. 91950 STATE: [REDACTED] ZIP: [REDACTED]

This will certify that as: Victim Driver Property Owner Party of Interest
 Pedestrian Passenger
 or representative of the above, who because of age or physical condition
prevents him/her from representing himself/herself, I have a proper interest in this accident/incident.

12-23-2014

Signature [REDACTED] Date: [REDACTED]

Type of Report Requested: Traffic Accident Domestic Violence Identity Theft
 Vehicle Theft, include the license plate number
 Other, explain below _____ State / Number _____

Reason for Request: Report

Location of Accident/Incident: National City Calif 24th

Date of Accident/Incident: 12-01-12 Name of persons involved: MANUEL MARTINEZ

Note: Incomplete or illegible information may cause a delay in processing your request.

INSURANCE COMPANY ONLY - COMPLETE THIS SECTION. YOU MUST PROVIDE A POLICY OR CLAIM NUMBER.

Company Name: _____ Policy Number: _____

Address: _____

Requested by: _____ Representing: _____

ATTORNEY OR AUTHORIZED INDIVIDUAL REPRESENTING INVOLVED PARTY - COMPLETE THIS SECTION. YOU MUST PROVIDE A SIGNED AUTHORIZATION FROM THE INDIVIDUAL REPRESENTED.

This is to certify that I represent _____ who was a victim, property owner, driver, passenger, pedestrian, other, explain: _____

Firm Name: _____

Address: _____

Signature: _____ Date: _____

DEPARTMENT USE ONLY

Identification: PP #: _____ Verified by CJL Amount Paid: _____

Request Completed By: CC, Date: 1/5/15 Request Released By: _____, Date: _____

Other Notes: not entitled, mother of suspect only 1/5/15

mailed 3/5/15 jgo

**DEPARTAMENTO DE POLICÍA DE NATIONAL CITY
APLICACIÓN PARA DAR INFORMACIÓN AL PÚBLICO
POR FAVOR ESCRIBA LO MÁS LEGIBLE POSIBLE.**

Nota: La información incompleta o ilegible puede causar retraso en el proceso de su petición.

NUMERO DE CASO #: _____

Nombre: _____ Teléfono: _____ Código de área _____

Dirección: _____ Ciudad _____ Estado _____ Código Postal _____

Esto certifica que siendo: Víctima Conductor Dueño de la Propiedad Peatón
 Pasajero Persona interesada en el reporte
 o representante de la persona involucrada, quien debido a la edad o condición física le prohíbe representarse a sí mismo, tengo un interés especial en este accidente/incidente.

Firma _____ **Fecha** _____

Tipo de Reporte: Accidente de tráfico Violencia doméstica Robo de Identidad
 Robo de Vehículo, incluya el numero de placas _____
 Otro, explique _____

Motivo de la solicitud:

Lugar (domicilio) del accidente ó incidente:

Fecha y Hora del accidente ó incidente:

Nombre de la/las personas involucradas: _____

Nota: Información incompleta o ilegible puede causar retraso en el proceso de su aplicación.

Nota: Información incompleta o ilegible puede causar retraso en el proceso de su aplicación.

PARA USO EXCLUSIVO DEL PERSONAL

Identification: PP #: _____ DL/ID: _____ Verified by: _____ Amount Paid: _____

Request Completed By: _____ **Date:** _____ **Request Released By:** _____ **Date:** _____

Other Notes:

CRIME	INCIDENT NUMBER	RELATED REPORTS N	ADDNL PROPERTY N	ADDNL OFFENSES Y	SAN DIEGO REGIONAL CRIME / INCIDENT REPORT	PAGE 1 OF 10	CASE NUMBER 1207248			
	BEAT 24	DISTRICT			DATE 12/1/2012	DAY OF WEEK Sat	TIME 10:16			
CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) PC 245A1 - Assault with a deadly weapon or instrument other than a firearm										
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950										
VICTIM / WITNESS	V W	DC 96	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)							
	RESIDENCE ADDRESS, CITY STATE ZIP					PHONE (Work)				
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
	STATUS	EMPLOYER / SCHOOL				OCCUPATION / RANK / GRADE		DAYS OFF	WORK HOURS	
	BUSINESS ADDRESS, CITY STATE ZIP							PHONE (Mobile)	V/W ASSIST	
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)									
VICTIM / WITNESS	V W	W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)				THE BEARER CERTIFIES THAT THE INFORMATION			
	Trolleyeside Deli & Minimart				REQUESTED WILL NOT BE USED TO HARRASS ONE (Work)					
	RESIDENCE ADDRESS, CITY STATE ZIP								DEGRADE OR HUMILIATE ANY PERSON. THE REQUESTING AGENCY OR PERSON HEREBY AGREES TO INDEMNIFY AND HOLD HARMLESS	
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
	STATUS	EMPLOYER / SCHOOL				THE NATIONAL CITY POLICE DEPARTMENT AND THE CITY OF NATIONAL CITY FOR ANY LIABILITY ARISING OUT OF THE IMPROPER USE OF THE INFORMATION PROVIDED.		WORK HOURS		
	BUSINESS ADDRESS, CITY STATE ZIP							V/W ASSIST		
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)										
MO. INFORMATION	TOTAL # OF WITNESSES AT CRIME:	9	PLACE OF ATTACK			DESCRIPTION OF SURROUNDING AREA				
	1. Structure			2. Business						
	FORCE/TOOL/WEAPON	SPECIFY			HOW USED					
	Force	FIST			PUNCHED					
	FORCE/TOOL/WEAPON	SPECIFY			HOW USED					
	Force	HANDS			PUSHED					
	TYPE OF STRUCTURE	POINT OF ENTRY		SECURITY USED	SUSPECT ACTIONS					
	Non-Residential 4. Convenience TARGET(S) 3. Display Item(s) 5. Person	2. Front 6. Ground Level 8. Door		11. Photo/Camera	1. Ate/Drank on Premises 22. Inflicted Injury 31. Pushed/Shoved Victim 33. Ransacked 36. Smoked on Premises 60. HIT VICTIM 60. STRUCK VICTIM 60. TOOK FOOD 60. TOOK PROPERTY					
	TYPE OF LOCK ATTACKED		8. N/A							
	ITEM NO.	ARTICLE NAME	STOLEN REVD/RD	IDENTIFICATION NUMBERS	BRAND, MAKE OR MANUFACTURER	MODEL NAME AND MODEL NUMBER	MISCELLANEOUS DESCRIPTION			VALUE
1	CIGARETTES	1 0		CAMEL		Unfiltered			\$6.00	
2	LIGHTER	1 0		BIC		Blue Lighter			\$1.75	
3	BEVERAGE	1 0		Monster		Lo Carb Energy Drink			\$2.49	
4										
ADMIN	VICTIM INJURED Y		EXTENT OF TREATMENT None		SUSPECT IN CUSTODY Probably Adult					
	REPORTING OFFICER Sakamoto		ID# 439	DIVISION	APPROVED BY Ybarra		ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:42		
	DETECTIVE(S) ASSIGNED		ID#	DIVISION	CASE STATUS Priority A		AGENCY NC	CRIME TYPE PC 245A1		

12/01/2012
 12:42 PM

INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 7 OF 10	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/01/2012		DAY OF WEEK Sat	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S) PC 212.5(C) - ROBBERY: SECOND DEGREE; PC 69 - OBSTRUCT/RESIST EXEC OFFICER						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						

SYNOPSIS:

Manuel Martinez (Suspect) entered the Trolley Side Deli & Minimart located at 530 W. 21st Street in National City. Martinez went behind the front counter and punched the Victim at least two times on the right side of his face forcing the Victim to the back room resulting in complaint of pain to his left cheek. Martinez pushed the Victim against a freezer resulting in scrapes on the Victim's shins and complaint of pain to his elbows. Martinez then threw a laptop computer striking the Victim on the back of his head.

Martinez ran to the customer area and tipped over several shelves. As the Victim ran outside for help, Martinez took a pack Camel cigarettes and a lighter from the display rack, opened the pack and lit a cigarette. Martinez also took a beverage from the display which he drank as police arrived on scene.

Martinez fled through the rear of the store and ran northbound along the train tracks to W. 18th Street where he was taken into custody. Martinez was taken to UCSD Medical Center for medical treatment.

As a result of Martinez' violent behavior during his apprehension, Officer Stinnett and Corporal Klos sustained some injuries.

ORIGIN:

On 12/01/12, at about 1016 hours, I responded to a call of an Armed Robbery in progress at the Trolley Side Deli & Minimart located at 530 W. 21st Street in National City. NCPD Dispatch advised over police radio that the Suspect was reportedly armed with a knife or gun and was still inside the business and unknown injuries to the Victim. The Suspect was described as a White or Hispanic male in his 30's, with tattoos, wearing a white t-shirt and blue pants.

REPORTING OFFICER Sakamoto	ID# 439	DIVISION	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43
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ORIGINAL - 12/05/2012

INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE			PAGE 1 OF 3	CASE NUMBER 1207248
CONTINUED FROM OFFICER'S REPORT ONLY	BEAT	DISTRICT	DATE	DAY OF WEEK Sat	TIME
PRIMARY CODE SECTION PC 211 - ROBBERY					
ADDITIONAL CODE SECTION(S) PC 69 - OBSTRUCT/RESIST OFFICER; PC 245A1 - ADW					
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST 91950					

SUPPLEMENTAL REPORT:

On 12/1/2012, I was on duty as a National City Police corporal. I was in full uniform and driving a marked police car. At about 1018 hours, I responded to assist with a robbery call at the deli in the 24th Street Trolley Station's parking lot. Per the CAD incident, a white male with tattoos, wearing a white shirt and blue pants, was barricaded inside the business and armed with a knife. There was also a broadcast about someone being shot or stabbed. I responded [REDACTED] from the Plaza Bonita mall.

Upon my arrival at W. 22nd Street & Wilson Avenue a few minutes later, I heard units broadcast that the suspect was running northbound along the tracks. I drove north on Wilson Avenue, but my view of the tracks was blocked by large buildings on the west side of the street. I broadcast that I was going to go onto the freeway in an attempt to observe the suspect. A moment later, while in the 1800 block of Wilson Avenue, I saw the suspect running northbound along the tracks. The suspect continued running northbound, now on the train bridge that crosses over W. 18th Street.

I drove west on W. 18th Street, then north on the ramp leading to the Civic Center off-ramp from northbound I-5. I paused momentarily at the bottom of the ramp because I could no longer see the suspect. Stopped ahead of me, on the right shoulder of the ramp, were two vehicles with people in/around them. The vehicles were parked one in front of the other; a pickup was in front (north of) the other vehicle.

The suspect, later identified as Manuel Martinez, ran from the train tracks down to where the vehicles were. I thought that Martinez was going to carjack one of the vehicles because of the way he ran directly toward them. Instead, Martinez jumped head-first into the bed of the pickup. I stopped my police car in the middle of the ramp and ran up to the left side of the pickup. I drew my [REDACTED] and pointed it at Martinez, who was lying on his back. I ordered Martinez not to move and to show me his hands.

At about this time, Officer Stinnet arrived and climbed into the truck bed to arrest Martinez. We ordered Martinez to lie face down and he complied. As Officer Stinnet began handcuffing Martinez' right hand, Martinez secreted his left hand under his body near his waistband. I ordered Martinez to show his hand but he did not comply. I grabbed Martinez' wrist but he resisted by holding it under him. I feared that Martinez was going to retrieve a weapon from his waistband to assault me and/or Officer Stinnet. [REDACTED] Martinez several times in his left side in order [REDACTED] and to get him to comply and present his hand. [REDACTED] were unsuccessful and Martinez did not comply. I drew my [REDACTED] and [REDACTED] Martinez several times in the upper left arm, in order to distract him and to get him to comply and present his hand. [REDACTED] were also unsuccessful, as

REPORTING OFFICER Klos	ID# 347	DIVISION PAT	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 21:17
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 2 OF 3	CASE NUMBER 1207248
CONTINUED FROM OFFICER'S REPORT ONLY	BEAT	DISTRICT	DATE	12/1/2012	DAY OF WEEK Sat	TIME
PRIMARY CODE SECTION PC 211 - ROBBERY						
ADDITIONAL CODE SECTION(S) PC 69 - OBSTRUCT/RESIST OFFICER; PC 245A1 - ADW						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST 91950						

Martinez still did not comply, and kept his hand under him at his waist. I administered several jabs from [REDACTED] to the area of Martinez' left back. Sergeant Meeks, who had arrived on scene, used his [REDACTED] in [REDACTED] mode to get Martinez to comply. The [REDACTED] and [REDACTED] were ultimately successful and Martinez eventually produced his hand and was handcuffed.

When we lifted Martinez up off the bed of the truck, I saw that his face was bloody. I radioed for fire and medics to respond to evaluate Martinez. Officer Stinnet and I walked Martinez from the truck to the right side of my police car. We placed Martinez' upper body over the hood of my police car with Martinez' feet on the ground. I began patting down Martinez' left side and I removed his left shoe. Officer Stinnet was on Martinez' right side. Officer Stinnet and I then switched sides. At about this time during the pat down, Martinez reached into his waistband and rigidly tensed his arms and body. I attempted to control Martinez against the side of the car but he was turning and tightening his arms and body while reaching into his waistband. Because Martinez had not been fully searched, I once again feared that his movements into his waistband were to retrieve a weapon to assault us.

We took Martinez to the ground to the right of my police car. I [REDACTED] Martinez was lifting himself up off the ground even with my application of weight. I told Martinez to stop resisting and applied a mandibular angle pressure point, which was unsuccessful and discontinued. Martinez continued reaching into his waistband, twisting, and had now begun repeatedly saying, "I have a weapon!" and saying something similar to, "Do you know who I am?" I repeatedly told Martinez to stop resisting.

Because Martinez was now violently resisting and making statements that he had a weapon, and apparently trying to retrieve something from his waistband, I again feared that Martinez did have a weapon. I inserted my [REDACTED] in between Martinez' arms and used it as leverage in an attempt to get Martinez to move his hand out of his waistband. Sergeant Meeks also used his Taser in [REDACTED] mode on Martinez' wrist area in an attempt to get him to stop reaching into his waistband. This was effective and I kept my baton in this position of leverage until Martinez stopped violently resisting. During this time, officers attempted to secure Martinez' legs with a [REDACTED]. Sergeant Meeks asked for Martinez to be placed in hinged handcuffs. Since I carry a pair of these on my belt, I placed them on Martinez in addition to the chain handcuffs already on him.

Fire and medics brought up a gurney and we carried Martinez on to it. I assisted with placing the gurney's buckles over Martinez' chest and waist. I heard fire or medic personnel saying that Martinez had been [REDACTED]. Moments later I saw that Martinez' [REDACTED] I saw medical personnel tilt Martinez' head back saying they were [REDACTED]

REPORTING OFFICER Klos	ID# 347	DIVISION PAT	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 21:17
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE			PAGE 3 OF 3	CASE NUMBER 1207248
CONTINUED FROM OFFICER'S REPORT ONLY	BEAT	DISTRICT	DATE	DAY OF WEEK Sat	TIME
PRIMARY CODE SECTION PC 211 - ROBBERY					
ADDITIONAL CODE SECTION(S) PC 69 - OBSTRUCT/RESIST OFFICER; PC 245A1 - ADW					
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST 91950					

opening his airway, while another medic was checking Martinez' carotid pulse, saying that there was a pulse present. Medics cut off most of Martinez' clothes, which I later impounded.

Martinez was placed in the ambulance. A few moments later, I heard from Sergeant Meeks or Officer Stinnet that fire/medics were [REDACTED] on Martinez in the back of the ambulance. Sergeant Meeks directed me to take photographs of Martinez. I went to the ambulance, opened the rear doors, and saw fire and/or medic staff [REDACTED] on Martinez. I took one photograph before the ambulance started moving. Medics in the ambulance told the driver to stop because I had opened the doors. I was told that they needed to depart so I got down from the ambulance and it drove away to the hospital.

Later in the day, I, along with Sergeant Meeks, Officer Stinnet and Officer Estabrook and his K9 partner, checked (with negative results) the area north of the train tracks from the 24th Street trolley station looking for a weapon that may have been dropped by Martinez.

After checking the tracks, I retrieved [REDACTED] from the inside of my police car and gave it to Sergeant Leach.

As a result of the incident, I suffered soreness to my right hand, a small cut on my right index finger, and an abrasion to my left knee.

IMPOUNDED EVIDENCE:

Tag #I0081497: Martinez' pants, shoes, socks, and belt.

Tag #I0081498: Martinez' wallet and its contents and miscellaneous items.

Tag #I0081499: \$8.30 cash from Martinez' property.

Tag #I0081500: Photo CD containing the one photograph I took.

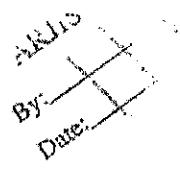
REPORTING OFFICER Klos	ID# 347	DIVISION PAT	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 21:17
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ORIGINAL - 12/05/2012

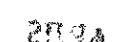
CRIME	INCIDENT NUMBER X ADDNL PROPERTY Y ADDNL OFFENSES				SAN DIEGO REGIONAL CRIME / INCIDENT REPORT			PAGE 1 OF 10	CASE NUMBER 1207248	
	BEAT 24	DISTRICT			DATE	12/1/2012		DAY OF WEEK Sat	TIME 10:16	
	CODE SECTION AND DESCRIPTION (ONE INCIDENT ONLY) PC 245A1 - Assault with a deadly weapon or instrument other than a firearm									
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950										
VICTIM / WITNESS	V W	W-TYPE DC 06	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)						PHONE (Work)	
	RESIDENCE ADDRESS, CITY STATE ZIP [REDACTED], CA 91977								PHONE (Work)	
	RACE W	SEX M	DATE OF BIRTH	ID TYPE DL	ID NUMBER	ID TYPE SS	ID NUMBER	INTERPRETER/LANGUAGE No		RELATION TO: VICTIM SUSPECT
	STATUS E	EMPLOYER/SCHOOL Trolleyeside Deli & Minimart			OCCUPATION/RANK/GRADE Clerk			DAYS OFF Sun - Sun		WORK HOURS Vary
	BUSINESS ADDRESS, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950								PHONE (Mobile)	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										
VICTIM / WITNESS	V W	W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION) Trolleyeside Deli & Minimart						PHONE (Work)	
	RESIDENCE ADDRESS, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950								PHONE (Work)	
	RACE W	SEX M	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER/LANGUAGE No		RELATION TO: VICTIM SUSPECT
	STATUS E	EMPLOYER/SCHOOL			OCCUPATION/RANK/GRADE			DAYS OFF		WORK HOURS
	BUSINESS ADDRESS, CITY STATE ZIP								PHONE	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO. IF APPLICABLE)										
M.O. INFORMATION	TOTAL # OF WITNESSES AT CRIME 9	PLACE OF ATTACK 1. Structure				DESCRIPTION OF SURROUNDING AREA 2. Business				
	FORCE/TOOL/WEAPON Force	SPECIFY FIST				HOW USED PUNCHED				
	FORCE/TOOL/WEAPON Force	SPECIFY HANDS				HOW USED PUSHED				
	TYPE OF STRUCTURE Non-Residential 4. Convenience TARGET(S) 3. Display Item(s) 5. Person	POINT OF ENTRY 2. Front 6. Ground Level 8. Door	SECURITY USED 11. Photo/Camera	SUSPECT ACTIONS 1. Ate/Drank on Premises 22. Inflicted Injury 31. Pushed/Shoved Victim 33. Ransacked 36. Smoked on Premises 60. HIT VICTIM 60. STRUCK VICTIN 60. TOOK FOOD 60. TOOK PROPERTY						
	TYPE OF LOCK ATTACKED 9. N/A									
PROPERTY	ITEM NO.	ARTICLE NAME	STOLEN REC'D	IDENTIFICATION NUMBERS	BRAND, MAKE OR MANUFACTURER	MODEL NAME AND MODEL NUMBER	MISCELLANEOUS DESCRIPTION			VALUE
	1	CIGARETTES	1 0		CAMEL		Unfiltered			\$6.00
	2	LIGHTER	1 0		BIC		Blue Lighter			\$1.75
	3	BEVERAGE	1 0		Monster		Lo Carb Energy Drink			\$2.49
	4									
ADMIN	VICTIM INJURED Y		EXTENT OF TREATMENT None		SUSPECT IN CUSTODY Probably Adult					
	REPORTING OFFICER Sakamoto		ID# 439	DIVISION	APPROVED BY Ybarra		ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:42		
	DETECTIVE(S) ASSIGNED		ID#	DIVISION	CASE STATUS Priority A		AGENCY NC	CRIME TYPE PC 245A1		

Page 2
 Date 12/1/13

INCIDENT NUMBER		PAGE 2 OF 10	CASE NUMBER 1207248						
SUSPECT	ARRESTED	SUSPECT'S NAME (LAST, FIRST MIDDLE) N Martinez, Manuel Tomas							
	NICKNAME / AKA				ID TYPE DL	ID NUMBER	ID TYPE II	ID NUMBER	
	ADDRESS, CITY STATE ZIP (Home) [REDACTED]								PHONE
	RACE H	SEX M	AGE [REDACTED]	DATE OF BIRTH [REDACTED]	HEIGHT 6'00"-6'01"	WEIGHT 170-180	BUILD THIN - NORM	HAIR BRO	EYE XXX
	ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E. GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.) TT: Left Shoulder - circular design								
	SUSPECT CLOTHING White Tank Top, Light Blue Jeans								
	HAIR LGTH/TYPE		HAIR STYLE	FACIAL HAIR	COMPLEXION	GEN APPEARANCE	Demeanor	SPEECH	VOICE
	5. Short 3. Thick		1. Afro/Natural	1. Clean Shaven	4. Light	1. Casual	10. Violent	9. Unknown	9. Unknown
	SUSPECT VEHICLE	YEAR	MAKE	MODEL	COLOR / COLOR		BODY TYPE	LICENSE NO.	LIC STATE
	ADDITIONAL VEHICLE IDENTIFIERS (DAMAGE, CHROME WHEELS, ETC.)					VIN		IMPOUND? / TOWING COMPANY	
ARRESTED		SUSPECT'S NAME (LAST, FIRST MIDDLE)							
NICKNAME / AKA				ID TYPE	ID NUMBER	ID TYPE	ID NUMBER		
ADDRESS, CITY STATE ZIP								PHONE	
RACE	SEX	AGE	DATE OF BIRTH	HEIGHT	WEIGHT	BUILD	HAIR	EYE	
ADDITIONAL INFORMATION / FURTHER SUSPECT DESCRIPTION (I.E. GLASSES, TATTOOS, TEETH, BIRTHMARKS, JEWELRY, SCARS, ETC.)									
SUSPECT	SUSPECT CLOTHING								
	HAIR LGTH/TYPE		HAIR STYLE	FACIAL HAIR	COMPLEXION	GEN APPEARANCE	Demeanor	SPEECH	VOICE
	SUSPECT VEHICLE	YEAR	MAKE	MODEL	COLOR / COLOR		BODY TYPE	LICENSE NO.	LIC STATE
	ADDITIONAL VEHICLE IDENTIFIERS (DAMAGE, CHROME WHEELS, ETC.)					VIN		IMPOUND? / TOWING COMPANY	
	SEE ATTACHED FORMS FOR EVIDENCE, NARRATIVE, AND OTHER SUPPLEMENTAL INFORMATION.								
	EVID/NARR	ADDITIONAL VIOLATIONS PC 212.5(C) - ROBBERY: SECOND DEGREE; PC 69 - OBSTRUCT/RESIST EXEC OFFICER							WITNESS CHECK Y
									ADDITIONAL PERSONS LISTED N
	ARSON OAK	OFFICER ASSAULT		OAK ZZ	OFFICERS WITH PERSONAL INJURY	OFFICERS WITHOUT PERSONAL INJURY		ACTIVITY WHEN ASSAULT OCCURRED	
		ARSON TYPE			CONTENT LOSS	STRUCTURE LOSS			ABANDONED
DESCRIPTION									
REPORTING OFFICER Satamoto		ID# 439	DIVISION	APPROVED BY Ybarra		ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43		

INCIDENT NUMBER	SAN DIEGO REGIONAL ADDITIONAL VICTIMS/WITNESSES/OTHERS						PAGE 3 OF 10	CASE NUMBER 1207248	
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						BEAT 24	DISTRICT	DATE 12/1/2012	
VICTIM / WITNESS	V	W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)						
	W	DC	[REDACTED]						
	RESIDENCE ADDRESS, CITY STATE ZIP [REDACTED] CA 91977						PHONE (Work) [REDACTED]		
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT
	W	M	[REDACTED]	DL	[REDACTED]	SS	[REDACTED]	No	
	STATUS	EMPLOYER/SCHOOL		OCCUPATION/RANK / GRADE			DAYS OFF	WORK HOURS	
	E	Trolleyeside Deli & Minimart		Clerk			Sun - Sun	Vary	
	BUSINESS ADDRESS, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						PHONE (Mobile) [REDACTED]	V/W ASSIST	
	N								
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)									
VICTIM / WITNESS	V	W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)						
	[REDACTED]	Trolleyeside Deli & Minimart							
	RESIDENCE ADDRESS, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						PHONE (Work) [REDACTED]		
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	No	
	STATUS	EMPLOYER/SCHOOL		OCCUPATION/RANK / GRADE			DAYS OFF	WORK HOURS	
	E	Trolleyeside Deli & Minimart		Clerk			Vary	Vary	
	BUSINESS ADDRESS, CITY STATE ZIP [REDACTED]						PHONE [REDACTED]	V/W ASSIST	
	N								
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)									
VICTIM / WITNESS	[REDACTED]	W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)						
	[REDACTED]	16	Sakamoto, Officer						
	RESIDENCE ADDRESS, CITY STATE ZIP [REDACTED]						PHONE (Work) (619) 336-4411		
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	NC 439	[REDACTED]	[REDACTED]	No	
	STATUS	EMPLOYER/SCHOOL		OCCUPATION/RANK / GRADE			DAYS OFF	WORK HOURS	
	E	City of National City		Police Officer			Vary	Vary	
	BUSINESS ADDRESS, CITY STATE ZIP 1200 NATIONAL CITY BL, NATIONAL CITY, CA 91950						PHONE [REDACTED]	V/W ASSIST	
	N								
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)									
VICTIM / WITNESS	[REDACTED]	W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)						
	[REDACTED]	16	Young, Sergeant						
	RESIDENCE ADDRESS, CITY STATE ZIP [REDACTED]						PHONE (Work) (619) 336-4411		
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	NC 365	[REDACTED]	[REDACTED]	No	
	STATUS	EMPLOYER/SCHOOL		OCCUPATION/RANK / GRADE			DAYS OFF	WORK HOURS	
	E	City of National City		Sergeant			Vary	Vary	
	BUSINESS ADDRESS, CITY STATE ZIP 1200 NATIONAL CITY BL, NATIONAL CITY, CA 91950						PHONE [REDACTED]	V/W ASSIST	
	N								
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)									
 <p>AKJO BY [REDACTED] Date: [REDACTED]</p>									
REPORTING OFFICER Sakamoto	ID# 439	DIVISION	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43				

INCIDENT NUMBER		SAN DIEGO REGIONAL ADDITIONAL VICTIMS/WITNESSES/OTHERS					PAGE	4 OF 10	CASE NUMBER	
									1207248	
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950					BEAT	DISTRICT	DATE	12/1/2012		
VICTIM / WITNESS		W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)							
	W	16	Dizinno, Detective					PHONE (Work) (619) 336-4411		
	RESIDENCE ADDRESS, CITY STATE ZIP									
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
				NC	926			No		
	STATUS	EMPLOYER/SCHOOL			OCCUPATION/RANK/GRADE			DAYS OFF	WORK HOURS	
	E	City of National City			Detective			Vary	Vary	
	BUSINESS ADDRESS, CITY STATE ZIP 1200 NATIONAL CITY BL, NATIONAL CITY, CA 91950								PHONE	V/W ASSIST
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)								N	
VICTIM / WITNESS		W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)							
	W	16	Meeks, Sergeant					PHONE (Work) (619) 336-4411		
	RESIDENCE ADDRESS, CITY STATE ZIP									
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
				NC	375			No		
	STATUS	EMPLOYER/SCHOOL			OCCUPATION/RANK/GRADE			DAYS OFF	WORK HOURS	
	E	City of National City			Sergeant			Vary	Vary	
	BUSINESS ADDRESS, CITY STATE ZIP 1200 NATIONAL CITY BL, NATIONAL CITY, CA 91950								PHONE	V/W ASSIST
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)								N	
VICTIM / WITNESS		W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)							
	W	16	Klos, Corporal					PHONE (Work) (619) 336-4411		
	RESIDENCE ADDRESS, CITY STATE ZIP									
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
				NC	347			No		
	STATUS	EMPLOYER/SCHOOL			OCCUPATION/RANK/GRADE			DAYS OFF	WORK HOURS	
	E	City of National City			Corporal			Vary	Vary	
	BUSINESS ADDRESS, CITY STATE ZIP 1200 NATIONAL CITY BL, NATIONAL CITY, CA 91950								PHONE	V/W ASSIST
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)								N	
VICTIM / WITNESS		W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)							
	W	16	Walters, Detective					PHONE (Work) (619) 336-4411		
	RESIDENCE ADDRESS, CITY STATE ZIP									
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE	RELATION TO: VICTIM SUSPECT	
				NC	398			No		
	STATUS	EMPLOYER/SCHOOL			OCCUPATION/RANK/GRADE			DAYS OFF	WORK HOURS	
	E	City of National City			Detective			Vary	Vary	
	BUSINESS ADDRESS, CITY STATE ZIP 1200 NATIONAL CITY BL, NATIONAL CITY, CA 91950								PHONE	V/W ASSIST
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)								N	
<p style="text-align: center;">ARJIS By: _____ Date: _____</p>										
REPORTING OFFICER Sakamoto	ID# 439	DIVISION	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43					

INCIDENT NUMBER	SAN DIEGO REGIONAL ADDITIONAL VICTIMS/WITNESSES/OTHERS						PAGE 5 OF 10	CASE NUMBER 1207248	
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						BEAT 24	DISTRICT	DATE 12/1/2012	
VICTIM / WITNESS	<input type="checkbox"/> W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION) W 16 Ybarra, Detective						PHONE (Work) (619) 336-4411	
	RESIDENCE ADDRESS, CITY STATE ZIP								
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER NC 381	ID TYPE	ID NUMBER	INTERPRETER/LANGUAGE No	RELATION TO: VICTIM SUSPECT
	STATUS	EMPLOYER/SCHOOL E City of National City			OCCUPATION/RANK/GRADE Detective			DAYS OFF Vary	WORK HOURS Vary
	BUSINESS ADDRESS, CITY STATE ZIP 1200 NATIONAL CITY BL, NATIONAL CITY, CA 91950						PHONE		VW ASSIST N
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)								
	<input type="checkbox"/> W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION) W 12 Kirkendall, CSS						PHONE (Work) (619) 336-4411	
	RESIDENCE ADDRESS, CITY STATE ZIP								
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER NC 4756	ID TYPE	ID NUMBER	INTERPRETER/LANGUAGE No	RELATION TO: VICTIM SUSPECT
STATUS	EMPLOYER/SCHOOL E City of National City			OCCUPATION/RANK/GRADE Crime Scene Specialist			DAYS OFF Vary	WORK HOURS Vary	
BUSINESS ADDRESS, CITY STATE ZIP 1200 NATIONAL CITY BL, NATIONAL CITY, CA 91950						PHONE		VW ASSIST N	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)									
VICTIM / WITNESS	<input type="checkbox"/> W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)						PHONE	
	RESIDENCE ADDRESS, CITY STATE ZIP								
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER/LANGUAGE	RELATION TO: VICTIM SUSPECT
	STATUS	EMPLOYER / SCHOOL			OCCUPATION / RANK / GRADE			DAYS OFF	WORK HOURS
	BUSINESS ADDRESS, CITY STATE ZIP						PHONE		VW ASSIST
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)								
	<input type="checkbox"/> W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / OR ORGANIZATION)						PHONE	
	RESIDENCE ADDRESS, CITY STATE ZIP								
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER/LANGUAGE	RELATION TO: VICTIM SUSPECT
STATUS	EMPLOYER / SCHOOL			OCCUPATION / RANK / GRADE			DAYS OFF	WORK HOURS	
BUSINESS ADDRESS, CITY STATE ZIP						PHONE		VW ASSIST	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)									
  									
REPORTING OFFICER Sakamoto	ID# 439	DIVISION	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43:17				

REPORTING OFFICER <u>Sakamoto</u>	ID# 439	DIVISION	APPROVED BY <u>Ybarra</u>	ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 7 OF 10	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE	12/01/2012	DAY OF WEEK Sat	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S) PC 212.5(C) - ROBBERY: SECOND DEGREE; PC 69 - OBSTRUCT/RESIST EXEC OFFICER						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						

SYNOPSIS:

Manuel Martinez (Suspect) entered the Trolley Side Deli & Minimart located at 530 W. 21st Street in National City. Martinez went behind the front counter and punched the Victim at least two times on the right side of his face forcing the Victim to the back room resulting in complaint of pain to his left cheek. Martinez pushed the Victim against a freezer resulting in scrapes on the Victim's shins and complaint of pain to his elbows. Martinez then threw a laptop computer striking the Victim on the back of his head.

Martinez ran to the customer area and tipped over several shelves. As the Victim ran outside for help, Martinez took a pack Camel cigarettes and a lighter from the display rack, opened the pack and lit a cigarette. Martinez also took a beverage from the display which he drank as police arrived on scene.

Martinez fled through the rear of the store and ran northbound along the train tracks to W. 18th Street where he was taken into custody. Martinez was taken to UCSD Medical Center for medical treatment.

As a result of Martinez' violent behavior during his apprehension, Officer Stinnett and Corporal Klos sustained some injuries.

ORIGIN:

On 12/01/12, at about 1016 hours, I responded to a call of an Armed Robbery in progress at the Trolley Side Deli & Minimart located at 530 W. 21st Street in National City. NCPD Dispatch advised over police radio that the Suspect was reportedly armed with a knife or gun and was still inside the business and unknown injuries to the Victim. The Suspect was described as a White or Hispanic male in his 30's, with tattoos, wearing a white t-shirt and blue pants.

INVESTIGATION:

Sergeant Young advised over his police radio he had the Suspect, later identified by his California Identification Card as Manuel Martinez (), who was barricaded inside the rear of the Trolley Side Deli & Minimart at gunpoint.

Upon arrival, I saw Sergeant Young with weapon drawn in front of business and went to his location. Sergeant Young advised there may be an exit to the northwest of the building. See Sergeant Young's Supplemental Report for further details.

I went along the trolley train tracks on the Westside of the building to search for a possible exit. Detective Dizinno acted as my (). See Detective Dizzino's Supplemental Report for further details. As I approached the loading dock on the north side of the building, Sergeant Meeks, who was on the east side of the loading dock, advised he saw Martinez exit the building and was inside the loading dock. See Sergeant Meeks' Supplemental Report for further details. As I scanned the area, Detective Dizinno advised Martinez was north of my position. I looked north along the train tracks and saw Martinez running northbound about 50 yards in front of me. Detective Dizinno and I trailed Martinez and put out his direction of travel.

REPORTING OFFICER Sakamoto	ID# 439	DIVISION	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 8 OF 10	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/01/2012		DAY OF WEEK Sat	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S) PC 212.5(C) - ROBBERY; SECOND DEGREE; PC 69 - OBSTRUCT/RESIST EXEC OFFICER						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						

As he arrived at the W. 18th Street overpass, Martinez went into the bushes on the west side of the tracks. Shortly there after, Corporal Klos advised he was taking Martinez into custody. See Corporal Klos' Supplemental Report for further details.

Detective Dizinno and I returned to the scene. While en route back to the scene, I heard Sergeant Meeks say over police radio Martinez was continuing to fight officers.

Detective Dizinno took digital photos of the scene and the Victim's injuries which he gave to me. I, later at NCPD, transferred the photos to CD-R and impounded it for evidence.

I contacted the Victim, identified by his California Driver License as [REDACTED] documented his statement. [REDACTED] stated Martinez punched him at least two (2) times on his left cheek resulting in redness and swelling. Martinez pushed [REDACTED] causing him to fall against a freezer hitting his right cheek, both elbows, and both shins. Martinez also threw [REDACTED] laptop computer at him which hit [REDACTED] in a unknown location. I saw redness on [REDACTED] right cheek. [REDACTED] had complaint of pain to both of his elbows, scrapes on both his shins and a cut about one inch in length on his right index finger.

[REDACTED] stated during the incident, Martinez took a pack of Camel unfiltered cigarettes and a blue BIC lighter from the display rack and smoked a cigarette. I looked on the front counter and saw a pack of Camel unfiltered cigarettes with one (1) cigarette missing and a blue BIC lighter. Martinez also advised Martinez took and drank a blue Monster Energy Drink. I looked in the back room and saw an open blue can of Monster Lo-Carb Energy Drink on the counter. [REDACTED] can identify Martinez if seen again.

Sergeant Meeks directed me to lock down the scene for detectives and crime scene specialists. See Detective Ybarra's Report and CSS Kirkendall's Supplemental Report for further details. I put up crime scene tape blocking the front and rear of the business and assumed duties of scene security/scribe. I documented scene access as follows:

- 1410 hours – Det. Dizinno and M. Hermiz enter scene to front doorway re camera coverage.
- 1445 hours – CSS Kirkendall entered scene
- 1456 hours – Det. Wilkins entered scene
- 1457 hours – Lt. Tellez entered scene
- 1547 hours – Det. Walters and Det. Ybarra entered scene.
- 1650 hours – All units clear scene. Scene released to Victim.

During this time, I also stood by with [REDACTED] until Detective Walters transported him to NCPD for an interview.

BACKGROUND:

None.

STATEMENTS:

Statement of [REDACTED] (Victim):

REPORTING OFFICER Sakamoto	ID# 439	DIVISION	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 9 OF 10	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/01/2012		DAY OF WEEK Sat	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S) PC 212.5(C) - ROBBERY: SECOND DEGREE; PC 69 - OBSTRUCT/RESIST EXEC OFFICER						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						

_____ stated that on 12/01/12, at about 1016 hours, he was working as a clerk at the Trolley Side Deli & Minimart located at 530 W. 21st Street in National City. _____ was at the refrigerator on the southwest of the business when the Suspect, identified as Manuel Martinez, entered the east front door and went to the front counter. _____ went behind the counter and asked Martinez, "May I help you?"

Martinez walked behind the front counter and approached _____. _____. told Martinez he was not supposed to be behind the counter. Martinez responded by punching _____ on the left cheek at least two (2) times causing _____ to stumble back and turn around. Martinez punched _____ on the back and pushed him through the doorway to the back room. _____ fell against a freezer hitting his right cheek on a shelf, both elbows and both shins on the freezer.

_____ picked up a hot plate from the backroom counter and held it up to block on-going punches by Martinez, moving it in an up-and-down motion. Martinez returned to the front counter, picked up _____ laptop computer and threw it at _____. _____ advised the laptop hit him, but at the time was unable to specify where it impacted him.

Martinez went to the customer area and tipped over shelves spilling merchandise all over the floor. _____ saw an opening and ran outside and asked by passers to call for help while still holding the hot plate. _____ looked through the south front door of the business and saw Martinez behind the front counter. Martinez took a pack of Camel unfiltered cigarettes from the display rack and opened it. He took a cigarette out and grabbed a lighter from the display rack, but failed to light it. Martinez grabbed a blue BIC lighter and lit his cigarette.

Martinez went to the refrigerator and took a blue Monster Lo-Carb Energy Drink and drank it. Police arrived on-scene.

EVIDENCE:

TAG #	DESCRIPTION
10081482	CD-R Digital Photos

CSS Kirkendall and Detective Wilkins processed the scene for evidence. Refer to their Supplemental Reports for further details.

INJURY:

_____ had redness and swelling to his left and right cheeks, complaint of pain to both elbows, small scrapes to his shins and a cut about one inch in length on his right index finger. _____ refused medical treatment for his injuries.

PROPERTY DAMAGE:

Martinez (Suspect) threw the Victim's laptop computer (valued at about \$400) which came apart as it impacted the floor. Martinez caused an unknown amount of damage to merchandise. Store employees were unable to assess damages until the scene was processed.

REPORTING OFFICER Sakamoto	ID# 439	DIVISION	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 10 OF 10	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE	12/01/2012	DAY OF WEEK Sat	TIME 10:16
PRIMARY CODE SECTION PC 245A1 - Assault with a deadly weapon or instrument other than a firearm						
ADDITIONAL CODE SECTION(S) PC 212.5(C) - ROBBERY: SECOND DEGREE; PC 69 - OBSTRUCT/RESIST EXEC OFFICER						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						

FOLLOW UP:

To be determined by the Investigations Division.

RELATED REPORTS:

- ✓ Sergeant Meeks' Supplemental Report
- ✓ Sergeant Young's Supplemental Report
- ✓ Sergeant Aydellotte's Supplemental Report
- Sergeant Cordero's Supplemental Report
- ✓ Corporal Klos' Supplemental Report
- Officer Dougherty's Supplemental Report and CHP 180
- ✓ Officer Stinnett's Supplemental Report
- ✓ Officer Barawed's Supplemental Report
- CSS Kirkendall's Supplemental Report
- Detective Ybarra's Supplemental Report
- Detective Dizinno's Supplemental Report

REPORTING OFFICER Sakamoto	ID# 439	DIVISION	APPROVED BY Ybarra	ID# 381	DATE AND TIME OF REPORT 12/01/2012 12:43
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ORIGINAL - 12/05/2012

NM-CAU, DA-ADRIANA

Yolanda Felix

From: Antonio Ybarra
Sent: Tuesday, December 30, 2014 5:43 PM
To: Yolanda Felix
Subject: RE: Police Report

Yes ma'am the case number is 1207248. Thank you for the calendar ☺

"Embrace Chaos & Minimize Confusion"

Antonio Ybarra, Patrol Sergeant
National City Police Department
1200 National City Blvd.
National City, CA 91950
Desk: (619) 336-4487

From: Yolanda Felix
Sent: Tuesday, December 30, 2014 9:42 AM
To: Antonio Ybarra
Subject: FW: Police Report

Tony

Do you have any more information? I am checking RMS and came up with this case number 1105489 do you know if that is it?

Thanks,
Yolanda

From: Antonio Ybarra
Sent: Tuesday, December 23, 2014 5:29 PM
To: Gregory Seward
Cc: Yolanda Felix
Subject: Re: Police Report

Thank you!

Sent from my iPhone

On Dec 23, 2014, at 3:56 PM, Gregory Seward <GSeward@nationalcityca.gov> wrote:

I believe that per the policy some things will have to be redacted and there should be a fee, but in the sake of good relationships we will waive that fee. I have CC Yolanda on the e mail to make sure that happens.

Greg

Sent from my Verizon Wireless 4G LTE smartphone

FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA
1200 NATIONAL CITY BLVD • NATIONAL CITY, CA 91950-4302 • (619) 336-4447

NCPD CASE # 1207248 DATE 09/04/13
OFFICER'S NAME / ID # YBARRA # 301

<input checked="" type="checkbox"/>	EVIDENCE SAFEKEEPING	<input type="checkbox"/>	FOUND DV HOLD	<input type="checkbox"/>	HELD PER 8102 W&I (5150 W&I) SEARCH WARRANT
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PROPERTY RECEIVED FROM:

LAST NAME	FIRST	MIDDLE	PHONE NUMBER
<u>MARTINEZ</u>	<u>MANUEL</u>	<u>TOMAS</u>	()

OWNER OF PROPERTY:

LAST NAME	FIRST	MIDDLE	PHONE NUMBER
			()

MAILING ADDRESS: CONTACT PHONE NUMBER

STREET#	APT#

CITY: <u>NATIONAL CITY</u>	STATE: <u>CA</u>	ZIP CODE: <u>91950</u>

DESCRIPTION OF PROPERTY:

TAG#	DESCRIPTION (BRAND, MODEL, COLOR, ETC.)	SERIAL#
I-0081498	(1) BLK LEATHER WALLET (3) CA ID CARDS + [REDACTED]	
	(1) VISA (MANUEL MARTINEZ) LAST-4 [REDACTED]	()
	(1) US BANK VISA (MANUEL MARTINEZ) LAST-4 [REDACTED]	()
	(6) DISCOUNT CLUB CARDS	[REDACTED]

FOUND PROPERTY (1) LIBRARY CARD, (5) WALLET PHOTOGRAPHS

WHEN FOUND PROPERTY IS HELD BY A LAW ENFORCEMENT AGENCY, CALIFORNIA CIVIL CODE SECTION 2080 REQUIRES THE FOLLOWING STATEMENT TO BE SIGNED BY THE FINDER: I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE LISTED ITEMS WERE FOUND, THAT ALL ITEMS HAVE BEEN SURRENDERED, AND I DO NOT KNOW WHO THE TRUE OWNER IS.

SIGNATURE OF FINDER: _____ *RTD*

ACKNOWLEDGMENT (MUST BE SIGNED BY PERSON IN POSSESSION OF PROPERTY)
THIS FORM CONSTITUTES NOTIFICATION OF YOUR RIGHTS ACCORDING TO LAW. YOUR SIGNATURE IS NOT AN ADMISSION OF RESPONSIBILITY, BUT INDICATES THAT YOU HAVE RECEIVED A COPY OF THIS NOTICE. PLEASE REVIEW THE BACK OF THIS SHEET FOR AN EXPLANATION OF YOUR RIGHTS.

SIGNATURE: _____

RELEASE FORM: (OFFICER: DO NOT SIGN UNLESS AUTHORIZING RELEASE)

I CERTIFY UNDER PENALTY OF PERJURY THAT I AM THE LAWFUL OWNER / GUARDIAN OF THE ABOVE DESCRIBED PROPERTY. I HAVE TAKEN POSSESSION OF THE DESCRIBED PROPERTY.

OFFICER'S SIGNATURE / ID # AUTHORIZING RELEASE We All DATE 09/04/13

PROPERTY RELEASED TO: 84 DATE 09-04-2013

IDENTIFICATION TYPE / NUM [REDACTED]

MUST CALL TO MAKE AN APPOINTMENT 336-4447



Check-Out Release Form
Activity Number: 1207248

NCPD
1200 National City Blvd
National City, CA 91950

Destination

INVESTIGATIONS

Released By:	5610	Castro, Vanessa	Date: 09/04/2013
Released To:	381	Ybarra, Antonio	Time: 12:56 pm

Item ID	Description	Tag No.	Evidence IDs	Quantity	UOM
I0081498	WALLET AND CONTENT, MISC ITEMS			1	EA

1 total items released



Ybarra, Antonio

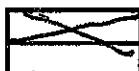
FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA
1200 NATIONAL CITY BLVD • NATIONAL CITY, CA 91950-4302 • (619) 336-4447

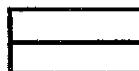
NCPD CASE # 1207248

DATE 12-1-12

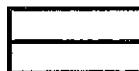
OFFICER'S NAME / ID # WILKINS, T



EVIDENCE
SAFEKEEPING



FOUND
DV HOLD



HELD PER 8102 W&I (5150 W&I)
SEARCH WARRANT

PROPERTY RECEIVED FROM:

LAST NAME	FIRST	MIDDLE	PHONE NUMBER
REDACTED			

OWNER OF PROPERTY:

LAST NAME	FIRST	MIDDLE	PHONE NUMBER
REDACTED			

MAILING ADDRESS:

CONTACT PHONE NUMBER

STREET#	APT#	()
REDACTED		

CITY: SPRING VALLEY STATE: CA ZIP CODE: 91977

DESCRIPTION OF PROPERTY:

TAG#	DESCRIPTION (BRAND, MODEL, COLOR, ETC.)	SERIAL#
I	<u>COMPAQ LAPTOP COMPUTER</u>	REDACTED
	<u>NEVER IMPOUNDED INTO EVIDENCE</u>	REDACTED
	<u>RELEASED WITHIN A DAY TO OWNER</u>	REDACTED

FOUND PROPERTY

WHEN FOUND PROPERTY IS HELD BY A LAW ENFORCEMENT AGENCY, CALIFORNIA CIVIL CODE SECTION 2080 REQUIRES THE FOLLOWING STATEMENT TO BE SIGNED BY THE FINDER: I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE LISTED ITEMS WERE FOUND, THAT ALL ITEMS HAVE BEEN SURRENDERED, AND I DO NOT KNOW WHO THE TRUE OWNER IS.

SIGNATURE OF FINDER: REDACTED

ACKNOWLEDGMENT (MUST BE SIGNED BY PERSON IN POSSESSION OF PROPERTY)

THIS FORM CONSTITUTES NOTIFICATION OF YOUR RIGHTS ACCORDING TO LAW. YOUR SIGNATURE IS NOT AN ADMISSION OF RESPONSIBILITY, BUT INDICATES THAT YOU HAVE RECEIVED A COPY OF THIS NOTICE. PLEASE REVIEW THE BACK OF THIS SHEET FOR AN EXPLANATION OF YOUR RIGHTS.

SIGNATURE: REDACTED

RELEASE FORM: (OFFICER: DO NOT SIGN UNLESS AUTHORIZING RELEASE!)

I CERTIFY UNDER PENALTY OF PERJURY THAT I AM THE LAWFUL OWNER / GUARDIAN OF THE ABOVE DESCRIBED PROPERTY. I HAVE TAKEN POSSESSION OF THE DESCRIBED PROPERTY.

OFFICER'S SIGNATURE / ID # AUTHORIZING RELEASE T. WILKINS #358

DATE 12-2-12

PROPERTY RELEASED TO: REDACTED

DATE 12-2-12

IDENTIFICATION TYPE / NUMBER REDACTED

MUST CALL TO MAKE AN APPOINTMENT 336-4447

FIELD PROPERTY RECEIPT / RELEASE FORM

NATIONAL CITY POLICE DEPARTMENT, CITY OF NATIONAL CITY, CALIFORNIA
 1200 NATIONAL CITY BLVD • NATIONAL CITY, CA 91950-4302 • (619) 336-4447

NCPD CASE # 12-11248
 OFFICER'S NAME / ID # ALLINK 350

DATE 12-1-12

<input checked="" type="checkbox"/>	EVIDENCE SAFEKEEPING	<input type="checkbox"/>	FOUND DV HOLD	<input type="checkbox"/>	HELD PER 8102 W&I (5150 W&I) SEARCH WARRANT
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PROPERTY RECEIVED FROM:

LAST NAME	MIDDLE	PHONE NUMBER
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OWNER OF PROPERTY:

LAST NAME	FIRST	MIDDLE	PHONE NUMBER
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MAILING ADDRESS: CONTACT PHONE NUMBER

STREET#	APT#	()
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CITY: SPRING VALLEY STATE: CA ZIP CODE: 91977

DESCRIPTION OF PROPERTY:

TAG#	DESCRIPTION (BRAND, MODEL, COLOR, ETC.)	SERIAL#
E	<u>COMPAQ LAPTOP COMPUTER</u>	<input type="checkbox"/>
	<u>NEVER IMPOUNDED INTO EVIDENCE</u>	<input type="checkbox"/>
	<u>RELEASER WITHIN A DAY TO OWNER</u>	<input type="checkbox"/>

FOUND PROPERTY

WHEN FOUND PROPERTY IS HELD BY A LAW ENFORCEMENT AGENCY, CALIFORNIA CIVIL CODE SECTION 2080 REQUIRES THE FOLLOWING STATEMENT TO BE SIGNED BY THE FINDER: I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE LISTED ITEMS WERE FOUND THAT ALL ITEMS HAVE BEEN SURRENDERED, AND I DO NOT KNOW WHO THE TRUE OWNER IS.

SIGNATURE OF FINDER: _____

ACKNOWLEDGMENT (MUST BE SIGNED BY PERSON IN POSSESSION OF PROPERTY)

THIS FORM CONSTITUTES NOTIFICATION OF YOUR RIGHTS ACCORDING TO LAW. YOUR SIGNATURE IS NOT AN ADMISSION OF RESPONSIBILITY, BUT INDICATES THAT YOU HAVE RECEIVED A COPY OF THIS NOTICE. PLEASE REVIEW THE BACK OF THIS SHEET FOR AN EXPLANATION OF YOUR RIGHTS.

SIGNATURE:

RELEASE FORM: (OFFICER: DO NOT SIGN UNLESS AUTHORIZING RELEASE!)

I CERTIFY UNDER PENALTY OF PERJURY THAT I AM THE LAWFUL OWNER / GUARDIAN OF THE ABOVE DESCRIBED PROPERTY. I HAVE TAKEN POSSESSION OF THE DESCRIBED PROPERTY.

OFFICER'S SIGNATURE / ID # AUTHORIZING RELEASE ALLINK 350 DATE 12-1-12

PROPERTY RELEASED TO: DATE 12-2-12

IDENTIFICATION TYPE / NUM:

MUST CALL TO MAKE AN APPOINTMENT 336-4447

INCIDENT NUMBER		SAN DIEGO REGIONAL ADDITIONAL VICTIMS/WITNESSES/OTHERS						PAGE 1 OF 4	CASE NUMBER 1207248	
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950					BEAT 24	DISTRICT	DATE 12/1/2012			
VICTIM / WITNESS		W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / ORGANIZATION) W 12 [REDACTED]							
	RESIDENCE ADDRESS, CITY STATE ZIP [REDACTED]						PHONE (Work) [REDACTED]			
	RACE W	SEX M	DATE OF BIRTH [REDACTED]	ID TYPE DL	ID NUMBER [REDACTED]	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE No	RELATION TO: VICTIM SUSPECT S	
	STATUS E	EMPLOYER/SCHOOL AMERICAN MEDICAL RESPONSE			OCCUPATION/RANK/GRADE PARAMEDIC			DAYS OFF Vary	WORK HOURS Vary	
	BUSINESS ADDRESS, CITY STATE ZIP 8808 BALBOA AVE, SAN DIEGO, CA 92123						PHONE (Mobile) [REDACTED]			VW ASSIST N
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)									
		W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / ORGANIZATION) W 12 GUNDERT, MARK LEONARD							
	RESIDENCE ADDRESS, CITY STATE ZIP [REDACTED]						PHONE (Work) (619) 336-4566			
	RACE W	SEX M	DATE OF BIRTH [REDACTED]	ID TYPE DL	ID NUMBER [REDACTED]	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE No	RELATION TO: VICTIM SUSPECT S	
	STATUS E	EMPLOYER/SCHOOL NATIONAL CITY FIRE DEPARTMENT			OCCUPATION/RANK/GRADE FIRE CAPTAIN			DAYS OFF Vary	WORK HOURS Vary	
BUSINESS ADDRESS, CITY STATE ZIP 343 E 16TH ST, NATIONAL CITY, CA 91950						PHONE (Mobile) [REDACTED]			VW ASSIST N	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)										
VICTIM / WITNESS		W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / ORGANIZATION) W 12 VILLARIASA, S							
	RESIDENCE ADDRESS, CITY STATE ZIP [REDACTED]						PHONE (Work) (619) 336-4490			
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER 380	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE No	RELATION TO: VICTIM SUSPECT S	
	STATUS E	EMPLOYER/SCHOOL NATIONAL CITY POLICE DEPARTMENT			OCCUPATION/RANK/GRADE DETECTIVE/CORPORAL			DAYS OFF Vary	WORK HOURS Vary	
	BUSINESS ADDRESS, CITY STATE ZIP 1200 NATIONAL CITY BL, NATIONAL CITY, CA 91950						PHONE [REDACTED]			VW ASSIST N
	ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)									
		W-TYPE	VICTIM'S NAME (LAST, FIRST MIDDLE / ORGANIZATION) [REDACTED]							
	RESIDENCE ADDRESS, CITY STATE ZIP [REDACTED]						PHONE [REDACTED]			
	RACE	SEX	DATE OF BIRTH	ID TYPE	ID NUMBER	ID TYPE	ID NUMBER	INTERPRETER?/LANGUAGE No	RELATION TO: VICTIM SUSPECT S	
	STATUS	EMPLOYER/SCHOOL			OCCUPATION/RANK/GRADE			DAYS OFF	WORK HOURS	
BUSINESS ADDRESS, CITY STATE ZIP [REDACTED]						PHONE [REDACTED]			VW ASSIST [REDACTED]	
ADDITIONAL INFORMATION (VICTIM VEHICLE INFO, IF APPLICABLE)										

ARJIS
By: [Signature]
Date: 1/26/13

REPORTING OFFICER Villariasa	ID# 380	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 12/01/2012 15:54
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 2 OF 4	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/01/2012		DAY OF WEEK Sat	TIME 10:17
PRIMARY CODE SECTION PC 212.5A - ROBBERY: FIRST DEGREE						
ADDITIONAL CODE SECTION(S)						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						

Detective's Supplemental Report

Callout:

On December 1st, 2012 at approximately 1407 hours, I received a telephone call from Detective Ybarra who requested my assistance regarding a suspect who committed a robbery and sustained injuries as he tried to flee from the police and fought with the arresting officers. The suspect identified as Manuel Martinez, was transported to UCSD Medical Center and had [REDACTED]. Detective Ybarra requested I contact Detective Nagle and meet with him at an address in the 1700 block of Grove Street, National City to search Martinez' residence.

Investigation:

I telephoned Detective Nagle who requested I meet him at [REDACTED] National City. On December 1st, 2012 at approximately 1502 hours, I arrived on scene and met with Detective Nagle, Officer Dougherty, and Investigator Di Zinno. I stood in the living room area with a female and male who were identified to me as [REDACTED] (Mother of [REDACTED] and [REDACTED] (brother of [REDACTED]) while Detective Nagle, Officer Dougherty, and Investigator Di Zinno conducted a 4th waiver search of the Martinez' residence. Refer to their supplemental reports for any further information.

Afterwards, Detective Ybarra assigned me to speak with one of the paramedics that treated Martinez. On December 1st, 2012 at approximately 1613 hours, I met with American Medical Response (herein known as AMR) Paramedics Prietto and Hluz at NCPD. I escorted Prietto into interview room #1 and Investigator Di Zinno escorted Hluz into interview room #2, which are both within the investigations division. The interview rooms have a motion sensor and automatically records (video/audio) any interviews in the rooms. I later transferred the interview recording of Prietto onto a DVD and impounded it for evidentiary purposes at NCPD Property Room. The following is a bulleted summary of Prietto's statement. Refer to the DVD for Prietto's statement in its entirety.

Statement of John Joseph Prietto:

- Prietto is works for American Medical Response as a paramedic. Prietto has been a paramedic for approximately 5-years.
- On December 1st, 2012, Prietto and his paramedic partner, Ahmed Hluz were on duty as paramedics. Prietto recalls receiving a pager call to respond to W. 18th Street cross of Wilson Avenue. Prietto does not recall what the call for service as for.
- Prietto was the driver, arrives on scene and parks behind a police car. Prietto recalls seeing a firefighter who request a backboard and restraints.
- Prietto saw the patient (herein known as Martinez) face down being held down by several police officers. Prietto saw Martinez struggling with the police officers; therefore, Prietto went back to the ambulance to get [REDACTED] for the safety of the police officers, firefighters and

REPORTING OFFICER Villariasa	ID# 380	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 12/01/2012 15:54
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 3 OF 4	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/01/2012		DAY OF WEEK Sat	TIME 10:17
PRIMARY CODE SECTION PC 212.5A - ROBBERY: FIRST DEGREE						
ADDITIONAL CODE SECTION(S)						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						

paramedics. Prietto told me that it is a county protocol to [REDACTED] to a patient who is uncooperative with police/fire/paramedic personnel.

- Before walking back to the ambulance, Prietto heard someone talking about placing a "spit sock" on Martinez. When Prietto got back to Martinez he saw Martinez wearing a "spit sock." [REDACTED]
[REDACTED]
- Prietto walked back to Martinez' location and saw police/firefighters placing restraints on Martinez. Prietto heard Hluz ask, "Is he still breathing?" Prietto does not know who; however, someone responded "Yes," and then someone asked to monitor his breathing. Shortly thereafter, Hluz asked to get an air bag ready. Prietto ran back to get an air bag and as he started to run back, he noticed Martinez was being carried to the ambulance.
- Martinez was placed into the ambulance and an EKG monitor was placed on him. [REDACTED]

[REDACTED] driven to UCSD Medical Center. Once at UCSD Medical Center, transfer of care was given to hospital staff.

On December 1st, 2012 at approximately 1705 hours, Detective Ybarra requested I speak with one of the National City Firefighters that responded out to the scene, where Martinez was taken into custody. There were several National City firefighters in the waiting area of the investigations division. I met and escorted Fire Captain Mark Gundert into interview room #1. I later transferred the interview room recording onto a DVD and then impounded it for evidentiary purposes at NCPD Property Room. The following is a bulleted summary of Gundert's statement. Refer to the DVD for Fire Captain Gundert's statement in its entirety.

Statement of Mark Gundert (witness):

- Gundert is a firefighter and holds a rank of Captain with the National City Fire Department. Captain Gundert has been a firefighter for 35-years.
- On December 1st, 2012, Captain Gundert was in uniform and on duty. Captain Gundert and his firefighter crew received a radio call to respond to W. 18th Street and Wilson Avenue at approximately 1030 hours. Captain Gundert recalls the call for service was evaluate a patient for law enforcement personnel.
- Captain Gundert estimates it took approximately 3-minutes to respond to the scene. On arrival, Captain Gundert saw three police officers trying to holding down a subject (herein known as Martinez) who was on the ground, handcuffed and struggling with the officers.
- Captain Gundert saw blood on Martinez' face and saw Martinez rubbing his face on the asphalt. Captain Gundert saw several detectives arrive on scene and a "spit mask" was placed on Martinez.

REPORTING OFFICER Villariasa	ID# 380	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 12/01/2012 15:54
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INCIDENT NUMBER	SAN DIEGO REGIONAL OFFICER'S REPORT NARRATIVE				PAGE 4 OF 4	CASE NUMBER 1207248
CONTINUED FROM CRIME	BEAT 24	DISTRICT	DATE 12/01/2012		DAY OF WEEK Sat	TIME 10:17
PRIMARY CODE SECTION PC 212.5A - ROBBERY: FIRST DEGREE						
ADDITIONAL CODE SECTION(S)						
LOCATION OF INCIDENT, CITY STATE ZIP 530 W 21ST ST, NATIONAL CITY, CA 91950						

- Paramedics arrived on scene and brought a gurney to them. Captain Gundert observed as police and fire personnel place Martinez onto the gurney face up. During this incident, Captain Gundert saw Martinez continue to struggle with police/fire personnel.
- Captain Gundert saw one of the paramedics with medication, which he believed was [REDACTED]
[REDACTED]
[REDACTED]
- After Martinez [REDACTED], Captain Gundert saw his firefighters checking his pulse. Captain Gundert looked at Martinez' eyes and [REDACTED] The paramedics made a comment that they had a pulse.
- Captain Gundert saw the paramedics and firefighters move Martinez to the ambulance, [REDACTED] The paramedics transported to Martinez to UCSD Medical Center, where medical care was transferred to hospital staff.
- Captain Gundert told me that giving Verced is a county protocol for combative patients. Additionally, Captain Gundert said, the actions taken by police/fire/paramedics appeared to be the norm for [REDACTED] patients.

Evidence:

<u>Property Tag #</u>	<u>Description:</u>
I0078221	DVD-video/audio interview of John Prietto
I0078222	DVD-video/audio interview of Mark Gundert

End of Report

REPORTING OFFICER Villariasa	ID# 380	DIVISION INV	APPROVED BY Smith	ID# 334	DATE AND TIME OF REPORT 12/01/2012 15:54
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ORIGINAL - 07/19/2013

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